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La Guardia Plans Probe

Cannot Get Home Supply, He Says; Distributors Face \$2,000,000 Suit

An inquiry by The Tribune into complaints of "penny profiteering" in milk, a controversy over the household supply in the home of F. H. La Guardia, President of the Board of Aldermen, and a threat of the striking milk workers to sue the distributors for \$2,000,000, which sum they assert is due them, were the chief developments in the strike situation yesterday.

The Tribune's inquiry, which was conducted in Manhattan, Brooklyn and the Bronx, disclosed that the retail charges for milk in the three boroughs vary, according to the price consciousness of the customer, but that the elasticity has a 3-cent range.

The La Guardia controversy developed as the result of a statement of the Aldermanic President, in which he said that he was considering recommending to the Board of Aldermen today that it investigate the strikers' charges of police brutality, and informed them that "the police are right to interfere with peaceful picketing."

Strike Hits La Guardia Home

"The strike isn't broken," he added. "I have found it impossible to get the proper milk supply in the home of F. H. La Guardia, who is reported to be ill, and had to appeal to Health Commissioner Copeland for it."

Last night 11 Elkin Nathans, secretary of the New York Milk Conference Board, issued the following reply to Mr. La Guardia:

"There appears to be some misunderstanding regarding the milk supply of President La Guardia of the Board of Aldermen, whose wife is reported to be ill. The day after the beginning of the strike the distributors were notified by the Health Department that Mrs. La Guardia had ordered a quart of certified milk and one-half pint of cream at first, and later with only one quart of certified milk and one-half pint of cream. This was delivered each day since and including November 2 by an employee named William Curley."

"The La Guardia family, therefore, received its milk supply daily, just as did any other family which made known its needs."

"There were 3,120 wagons out of a total of 3,849 making deliveries today."

Mr. La Guardia received a delegation of women relatives of the strikers and told them that he would introduce a resolution asking for the appointment of an Aldermanic committee to investigate police brutality in the strike in the event that the strikers furnished him with sufficient evidence of it.

Announcement of the intention of the union to sue the distributors for \$2,000,000 was made by George W. Briggs, the strikers' chairman. He said that this sum "represents what the distributors owe the men in back pay and commissions for the week before the strike and the \$150 deposit coming to each man from the company which employed him."

Cent Profit Only, Legitimate

The profiteering investigation was based on a statement of Secretary Nathans, in which he said that "the retailer is entitled to a profit of one cent a bottle for milk, and anything above that is profiteering."

"We sell grade A milk to the retailer at 18 cents a bottle, grade B at 14 cents and charge a little less than 11 cents a quart for loose milk," Mr. Nathans explained. "Thus the public should pay the retailer not more than 19 cents for grade A, 15 cents for grade B and 12 cents a quart for loose milk."

The chief variance found yesterday was in connection with grade B, which was sold at from 15 to 17 cents. At no stores visited, except those of the Sheffield Farms Company, could grade A be procured for less than 20 cents. There was no overcharge discovered on loose milk, which was found to sell in one dairy store in the lower East side as low as 11 cents a quart.

Following is a brief summary of the inquiry made at each of the stores visited, together with a statement by the proprietor:

Wilkes & Von Seth, grocery, 2885 Broadway—No grade A or loose milk handled; grade B sold at 17 cents; "the Sheffield and Borden companies charge me 15 cents a bottle, and it's so much bother handling it that I'd do without it if I only a one-cent profit was dictated."

Saunter Inn Delicatessen, Broadway and 112th Street—No grade A or loose milk; grade B at 17 cents. "I've had Sheffield since the strike started."

Jack Jassen's delicatessen, 474 Willis Avenue, the Bronx—No grade A or loose milk; grade B at 16 cents. "I pay Sheffield 15 cents a quart."

H. Zelikowitz, grocery, 626 Bergen Avenue, the Bronx—No bottled milk handled, "because not obtainable"; loose milk at 12 cents. A clerk said: "We pay Weissman's Dairy \$4.50 a forty-quart can, but there's a soldier more than thirty-eight or thirty-nine quarts in the can."

Sheffield Farms Store, Park Avenue and Sixtieth Street—Grade A at 18 cents, grade B at 15 cents, no loose milk.

Madison Grocery and Fruit Shop, 644 Madison Avenue—No grade A or loose milk; grade B at 15 cents. "We pay 14 cents a bottle and the one-cent profit is enough for me, as I sell milk chiefly as an accommodation for my customers."

Plaza Delicatessen, 633 Madison Avenue—Grade A at 20 cents, grade B at 17 cents, no loose milk. "We can get grade B at 14 cents only by paying a deposit on the bottles, otherwise it's 15 cents. We have to make our present profit because of service and bags furnished."

R. Deutsch, delicatessen, 102 Forsyth Street, near the Bowery—Loose milk at 12 cents; no bottled milk sold.

Brudno's Dairy, 66 Forsyth Street—Loose milk at 11 cents; a container is brought by purchaser; paper container furnished at 3 cents extra.

E. Hirsch, delicatessen, 199 Bridge Street, Brooklyn—No grade A; grade B at 15 cents; loose milk at 12 cents; "Grade B costs me 14 cents, and I'm satisfied with the cent profit."

Urge Woman for Examiner

Mrs. Katherine H. Notman, chairman of the League of Women Voters of Brooklyn, made public yesterday a letter which the organization has sent to Anning S. Prall, president of the Board of Education, requesting the appointment of a woman to one of the vacant places on the board of examiners. The appointments are to be announced at a meeting of the Board of Education to-day, after having been put over from last week.

The letter says that two women have passed the examination for examiner and are, therefore, eligible for appointment.



Whittlesey, of Lost Battalion, Missing at Sea

(Continued from page one)

have some one else attend to a hearing yesterday in a case which he has been conducting, and he left his work, so far as could be seen, in perfect order.

It was apparent to Colonel Whittlesey's friends that he had planned his trip and his fatal termination in mind. Nevertheless, as his plan matured there were hours when he shook off completely the melancholy which some of those close to him had noticed and seemed to be happier than at any time in many months.

One of these occasions was last week, when his father, who is old and far from robust, came to the city from Pittsburgh at Colonel Whittlesey's invitation. Colonel Whittlesey's spirits were high during his father's visit. He made no mention of the impending voyage.

Colonel Whittlesey had dinner Thanksgiving Day with his old friend Mr. Pruyn. He was more than ordinarily cheerful and his friends remarked upon it. He said nothing of the trip on which he was to embark in forty-eight hours.

Friday evening, the evening which he knew to be the last he should pass in New York or with friends, Colonel Whittlesey went to a theater with a young woman. He said nothing of his departure on the morrow.

His brother, Meizer Whittlesey, of this city, started for Pittsburgh as soon as the news was received here. Another brother, Eliza, lives with his parents in that town.

Colonel Whittlesey was thirty-seven years old. After his graduation from Williams College he went to Harvard Law School, receiving his degree there in 1908. He came to this city and entered upon practice with Mr. Pruyn.

Among First to Enter Camp

When war was declared and the call came for candidates for officers' training at Plattsburg, Mr. Whittlesey was among the first to respond. His eagerness surprised those who knew him only as a young man distinguished mostly by his silence and modesty. Those who knew him better knew that he had been thinking of the subject for months and that his decision probably was made the instant he knew that war had been declared.

From Plattsburg he went to Camp Upton. He went overseas as a major in the 308th Infantry. It was as major in that regiment that he made a stand with the "Lost Battalion" which won him the Congressional Medal of Honor, nation-wide admiration and the burden of a war which brought an end to his life.

The "Lost Battalion" never was lost, but it was owing largely to the courage and inspiring qualities of its commander that enough of its men got back to the American lines to inform the world of the fact.

It consisted of 433 officers and men of the 308th Infantry and Company K of the 307th. Major Whittlesey was in command. His second was Captain George G. McMurry Jr., of this city, who also received the Congressional Medal of Honor.

Under their leadership the "lost" battalion set out along the route assigned to it and reached its objective. It had lost contact, however, with the units on either side of it, and the night of October 2, 1918, saw it surrounded in a swamp of the Argonne Forest by a public force of the enemy.

Each man had 220 rounds of ammunition and one day's rations. They held out for five days. On the fifth day the German commander sent a written request for their surrender.

"Go to hell!" was the reply of the sedate young lawyer in command of the battalion, according to the apocryphal history of the war.

The next day they were relieved and marched out under arms, such as were left of them, a haggard mob of skeletons. For four days they had subsisted upon leaves and roots. One hundred and seven had been killed. Half of the battalion were casualties.

Colonel Whittlesey came home on the transport Plattsburg, reaching this city three days after the armistice went into effect. The role of hero was forced upon him at the pier and he never was able to evade it thereafter, though he never made a speech or a public utterance of any kind relating to his experience in the Argonne without paying tribute to the courage of those who went through the ordeal with him or succumbed to it.

He came back with profound esteem for the qualities of the enlisted men of the expeditionary forces. He never failed to voice it and it was undoubtedly a factor in causing him to shoulder the work which he later assumed in behalf of numerous former soldiers or their dependents.

Although, as was natural, ex-soldiers had first call on Colonel Whittlesey's sympathies, he always was ready to offer help to those whose straits struck him as pitiable. About a year ago he took up the case of a youthful stow-away from Germany, who was slated for deportation at Ellis Island and gave much of his time to the case until he had succeeded in getting a new hearing in Washington.

On December 24, 1918, the Congressional Medal of Honor was bestowed upon him on the Common in Boston, while thousands looked on and cheered. Harvard gave him the degree of Master of Arts the following June. Last August he was appointed to the command of the 308th Infantry, 7th Division, Organized Reserves, a reserve force whose personnel virtually was that of his old regiment. He returned from France a lieutenant colonel. He was a member of the Williams Club and the Harvard Club.

Principal contributors to the Hyman League were the Business Men's League and William R. Hearst, \$5,000 each; A. H. Woods, Nicholas M. Schenck and Emmett McLoughlin, \$2,500 each; F. J. Gosdol, \$2,000; Joseph V. Lemare, \$1,000; L. J. O'Reilly, Daniel Meenan, J. M. Silverman, Joseph Marrone, William W. Cohen and Leo J. Shubert, \$1,000 each; Frank Mann, Max Dick, A. V. B. Voorhees, E. S. Menahan, Anton Sandheim, John Welz, Joseph J. Holwell, W. J. Gallagher, John F. Sinnott, Grover A. Whalen, Samuel Fleishman, John M. Shaw, H. L. Cud-dihy, James Butler, William E. Dono-van, Frank K. Houston, Frederick A. Wallis and D. A. Harrington, \$500 each; Maurice Simmons, \$400; Henry Joyce, \$350, and W. S. Allen, David Greenblatt and Sam H. Harris, \$300 each.

Principal expenditures of the Hyman League were: Printing, \$22,000; personal service, \$6,165; organization expenses, \$9,500; office rent, \$3,655; advertising, \$1,940; postage and mailing, \$2,600; buttons, \$1,500; banners, \$450; music, \$340; auto and truck hire, \$661. Julian D. Fairchild, treasurer of the Kings County Democratic Committee, yesterday forwarded to the Secretary of State a list of contributions and expenses of the last campaign. The contributions amounted to \$83,000, and expenses, chiefly for advertising and meetings, \$62,000. The largest gift was \$6,000, by George W. Loft, treasurer of the Hyman League. Mrs. Loft is a Special Deputy Police Commissioner in the Hyman administration.

Miller Names 15 to Redraft City's Charter

Board Headed by F. M. Scott Includes George Cromwell, L. L. Delafield, H. L. McBain, F. L. Polk, W. B. Parsons

Special Dispatch to The Tribune

ALBANY, Nov. 28.—Governor Miller plans to convene the Legislature in extraordinary session next summer for the exclusive consideration of recommendations for changes in the charter of New York City to be formulated by the Charter Revision Commission.

This was announced by the Governor to-night simultaneously with the publication of the list of fifteen commissioners named by the Governor. The commission is to be headed by Francis M. Scott, former Corporation Counsel and a Democrat.

So firmly convinced is the Governor that the task of bringing New York's charter up to date is one which requires deep and thorough consideration that he will not risk rushing the program for action by the Legislature during its regular session. He believes the work should be handled by a brief extraordinary session. This arrangement, too, will allow more concentrated attention to the task, as there would be no rush of other measures to distract interest.

Governor Explains Intention

"I do not believe," said the Governor, "that the commission will have time to complete its report before the end of the regular session. But if its report should be ready shortly after the final adjournment, I would call an extra session to act upon the New York City charter. I believe that better results can be obtained at an extraordinary session, when the Legislature has nothing else to think of, than at a regular session, when there is so much other work to be done."

The list of commissioners appointed by the executive includes men who have served with distinction in public life. They will work without pay. The law creating the commission stipulates that the Mayor, the City Controller, a member of the Board of Aldermen and one of the borough presidents must be members of the board. Edward R. Kierulff, of Brooklyn, was the Borough President chosen, while John J. Keller, Republican, of Brooklyn, was selected to represent the Board of Aldermen. There are eight Democrats, six Republicans and one independent on the committee. They follow:

Francis M. Scott, Democrat, former Corporation Counsel and Assistant Commissioner of the City of New York, former Justice of the Supreme Court and Associate Justice of the Appellate Division, First Department.

George Cromwell, Republican, formerly President of the Borough of Richmond and the Richmond County Board of Education, member of the Charter Revision Commission in 1900, member of the New York City Commission of Taxation in 1914, member of the State Assembly in 1920 and 1921, member of the State Senate in 1918-19.

Lewis L. Delafield, Republican, chairman of the committee of the State Bar Association, chairman of the committee of the Bar Association with reference to the State Bar, member of the City of New York Police Association, member of the City of New York Police Association, member of the City of New York Police Association, member of the City of New York Police Association.

Professor Howard Lee McBain, Independent, professor of administrative law, Columbia University, counsel for the City of New York before the State Constitutional Convention, 1915; member Board of Education, 1916; associate editor "National Municipal Review and Political Science Quarterly," member American Political Science Association, American Academy of Political and Social Science and National Municipal League.

Herman A. Metz, Democrat, former Controller of the City of New York; member of Board of Education.

Colonel William Barclay Parsons, Republican, formerly deputy and chief engineer Rapid Transit Commission; member of the Isthmian Canal Commission in 1904; advisory engineer of the London Royal Traffic Commission; member of the Board of Consulting Engineers of the Panama Canal in 1905; former director of the London underground system; chief engineer of the Cape Cod Canal Construction Company in 1909; trustee of Columbia College; director of Carnegie Institute.

Frank L. Polk, Democrat; formerly under Secretary of State, Corporation Counsel of New York City, member of the Civil Service Commission of New York City, 1907-1909; counsel for the Department of State, 1915-1919; Commissioner Plenipotentiary of the United States to Negotiate Peace, July 17, 1919; head of the American Delegation to Peace Conference at Paris, July 23 to December 9, 1919.

Arthur S. Somers, Democrat; member of the Board of Education, former Civil Service Commissioner.

H. Pashaw Williams, Republican; president First Mortgage Guaranty Company of Long Island City, former president Queens Borough Chamber of Commerce, chairman of Queens County Chamber of Commerce Transit Committee.

Hearst Heads List Of Contributors To Hyman League

Publisher Gave \$5,000 Toward Campaign; Total Fund Was \$69,436; \$59,005 Was Expended

William R. Hearst, with a subscription of \$5,000, heads the list of contributors to the Hearst-Tammany campaign chest, as reported yesterday to the Secretary of State. The total receipts of the Hyman League, which bore the brunt of the work for the re-election of Mayor Hyman, were \$69,436, with total expenditures of \$59,005. There were 648 contributors.

In addition to this total Tammany Hall spent about \$128,450, almost wholly for the election of its county ticket.

The principal contributors to the Hyman League were the Business Men's League and William R. Hearst, \$5,000 each; A. H. Woods, Nicholas M. Schenck and Emmett McLoughlin, \$2,500 each; F. J. Gosdol, \$2,000; Joseph V. Lemare, \$1,000; L. J. O'Reilly, Daniel Meenan, J. M. Silverman, Joseph Marrone, William W. Cohen and Leo J. Shubert, \$1,000 each; Frank Mann, Max Dick, A. V. B. Voorhees, E. S. Menahan, Anton Sandheim, John Welz, Joseph J. Holwell, W. J. Gallagher, John F. Sinnott, Grover A. Whalen, Samuel Fleishman, John M. Shaw, H. L. Cud-dihy, James Butler, William E. Dono-van, Frank K. Houston, Frederick A. Wallis and D. A. Harrington, \$500 each; Maurice Simmons, \$400; Henry Joyce, \$350, and W. S. Allen, David Greenblatt and Sam H. Harris, \$300 each.

Mrs. Ragana Accused of Threat to Kill Fiance

Detective Joseph Ryan, of the Homicide Squad, called as a witness yesterday in the trial of Mrs. Josephine Ragana for murder of Frank Luciano, her fiance, testified to a conversation with the woman after her arrest in Baltimore, in which she told him Luciano had been killed in a struggle for possession of a revolver.

The statement of the detective caused much excitement among friends of Mrs. Ragana, who crowded Judge Crane's courtroom in General Sessions. The defense had announced its intention of proving that Luciano's death was due to accident and that Mrs. Ragana was not responsible for the shooting.

Mrs. Ray Nicoletti, a policewoman, somewhat dampened the enthusiasm of the defense, however, when she testified that Mrs. Ragana had told her a few days before Luciano was shot that she intended to shoot him unless he married her. When Mrs. Nicoletti finished reading her statement from memoranda taken to have been made at the time of the conversation, Mrs. Ragana rose from her chair in court and pointing at the witness exclaimed dramatically:

"That woman lies—I made no such statement to her or to any one."

The courtroom was filled with spectators and many prominent women occupied seats near the box where sat Mrs. Otto Kahn. The prosecution rested its case before adjournment and the defense opens to-day.

A definition 'arf-and-'arf

A dialect expression used in some sections of England to signify a beverage composed of an equal quantity of two liquids.

A New York business man's lunch (pronounced "half-and-half") made up of half milk and half cream, generally served in a bowl and with crackers. A good, adequate lunch for brain workers who desire to keep their mind in high speed for the pressure of afternoon business.

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Warne Blames Steel Cost for Crippled Roads

Williams's Letter Accusing U. S. Corporation of Unjustifiable Profits Is Submitted to Senators

Excess Held \$30 a Ton

From The Tribune's Washington Bureau

WASHINGTON, Nov. 28.—One of the main causes of the high operating costs of the railroads is the high price of steel for rails and other needs of the roads, according to Dr. Frank J. Warne, economist for the railroad employees, who continued his testimony before the Senate Interstate Commerce Committee to-day. Dr. Warne laid the blame for this at the door of the United States Steel Corporation. He held that the railroads would have been enabled to make a much better showing this year if the Steel Corporation had lowered its prices along lines urged by John Skelton Williams, former Comptroller of the Currency, in a letter to Judge E. H. Gary on February 1, 1921.

In connection with testimony on increases in prices of steel commodities to the railroads, Mr. Warne submitted to the committee this letter, which Mr. Williams wrote as director of purchases of supplies under the railroad administration. In the letter, Mr. Williams said the profits of the Steel Corporation were "swollen and unconscionable"; that the corporation could well afford to sell its products to the government and to all other consumers through the remainder of the year at net cost; that the corporation could in the year 1918 have doubled the wages and salaries of all its 268,710 employees and yet paid dividends on its preferred and common stock, with due provision for its sinking fund; or, could have reduced its prices on all finished steel products \$30 a ton and yet paid dividends on both preferred and common stock, after providing for interest, sinking fund and necessary deterioration. Mr. Williams further stated that the Steel Corporation's profits in the war years were "not reasonable" and that in the present condition of the country "your prices are excessive and unjustifiable."

The witness charged that maintenance costs to the roads had been much enhanced by farming out to so-called independent repair shops much of the work in maintenance of equipment.

Summarizing his views as to alleged defective or fallacious wage increase figures as submitted by the railroads, Dr. Warne said these figures were misleading in at least eleven important particulars. Items which he said should be excluded were annual salaries of general and division officers, exceeding \$92,000,000; compensation to employees engaged in new construction work which should be charged to capital account and not to operating expenses, and which in 1920 is estimated at \$370,000,000, and a number of others. Dr. Warne said that because of the inclusion of these items the witnesses for the railroads before the committee had inflated their wage increase in 1920 by more than \$1,250,000,000, or nearly 24 per cent of the total compensation.

Three Sought in Killing Of Paterson Politician

PATERSON, N. J., Nov. 28.—Police have sent out a general alarm for three designers, believed to be Italians, who they allege, are responsible for the death last night of John A. Dobbins, a Democratic political leader. John Boyle, twenty-four years old, who was with Dobbins when he was stabbed, is in St. Joseph's Hospital in a serious condition.

According to a story told the police by Penrose Easter, a streetcar conductor, of 911 Park Avenue, Hoboken, Boyle and Dobbins, accompanied by three men, who, he believes, were Italians, boarded his car in Paterson last night. He said the five men were arguing, when the men finally got off, and as they went away he saw them fighting in the street.

Boyle was found later on the sidewalk unconscious. He died from loss of blood through a severed artery under the left arm. He was native in politics and was a judge of election cases for many years. He is survived by his wife and a son.

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